BILL NO. R-95-01-11

DECLARATORY RESOLUTION NO. R-09-95

A DECLARATORY RESOLUTION designating an "Economic Revitalization Area" under I.C. 6-1.1-12.1 for property commonly known as 4030 Option Pass, Fort Wayne, Indiana 46818. (Environmental Remediation Services, Inc.)

WHEREAS, Petitioner has duly filed its petition dated December 24, 1994 to have the following described property designated and declared an "Economic Revitalization Area" under Section 153.02 of the Municipal Code of the City of Fort Wayne, Indiana, of 1993, as amended, and I.C. 6-1.1-12.1, to wit:

Attached hereto as "Exhibit A" as if a part herein;

and

WHEREAS, said project will retain 6 full-time and create 4 full-time permanent jobs for a total current annual payroll of $190,000, and an additional annual payroll of $110,000 with the average current annual job salary being $31,746 and the average new annual job salary being $27,500; and

WHEREAS, the total estimated project cost is $177,000; and

WHEREAS, it appears the said petition should be processed to final determination in accordance with the provisions of said Division 6.

NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That, subject to the requirements of Section 6, below, the property hereinabove described is hereby designated and declared an "Economic Revitalization Area" under I.C. 6-1.1-12.1. Said designation shall begin on the effective date of the Confirming Resolution referred to in Section 6 of this Resolution and shall continue for one (1) year(s) thereafter. Said designation shall terminate at the end of that one (1) year period.

SECTION 2. That, upon adoption of the Resolution:

(a) Said Resolution shall be filed with the Allen County Assessor;

(b) Said Resolution shall be referred to the Committee on Finance and shall also be referred to the Department of Economic Development requesting a recommendation from said department concerning the advisability of designating the above designated area an "Economic Revitalization Area";

(c) Common Council shall publish notice in accordance with I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 of the adoption substance of this resolution and setting this designation as an "Economic Revitalization Area" for public hearing;

(d) If this Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, then the Resolution shall be referred to the Fort Wayne Redevelopment Commission and said designation as an "Economic Revitalization Area" shall not be finally approved unless said Commission adopts a Resolution approving the petition.

SECTION 3. That, said designation of the hereinabove described property as an "Economic Revitalization Area" shall apply to a deduction of the assessed value of real estate.

SECTION 4. That, the estimate of the number of individuals that will be employed or whose employment will be retained and the estimate of the annual salaries of those individuals and the estimate of the value of redevelopment or rehabilitation, all contained in Petitioner's Statement of Benefits, are reasonable and are benefits that can be reasonably expected to result from the proposed described redevelopment or rehabilitation.

SECTION 5. That, the current year approximate tax rates for taxing units within the City would be:

(a) If the proposed development does not occur, the approximate current year tax rates for this site would be $8.8359/$100.

(b) If the proposed development does occur and no deduction is granted, the approximate current year tax rate for the site would be $8.8359/$100 (the change would be negligible).

(c) If the proposed development occurs and a deduction percentage of fifty percent (50%) is assumed, the approximate current year tax rate for the site would be $8.8359/$100 (the change would be negligible).

SECTION 6. That, this Resolution shall be subject to being confirmed, modified and confirmed, or rescinded after public hearing and receipt by Common Council of the above described recommendations and resolution, if applicable.

SECTION 7. Pursuant to I.C. 6-1.1-12.1, it is hereby determined that the deduction from the assessed value of the real property shall be for a period of three (3) years.

SECTION 8. That, the benefits described in the Petitioner's Statement of Benefits can be reasonably expected to result from the project and are sufficient to justify the applicable deductions.

SECTION 9. That, this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Member of Council

APPROVED AS TO FORM AND LEGALITY

J. Timothy McCaulay, City Attorney

Read the first time in full and on motion by _____, seconded by _____, and duly adopted, read the second time by title and referred to the Committee on _____ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Conference Room 128, City-County Building, Fort Wayne, Indiana, on _____, the _____, day of _____, 19_____, at _____ o'clock _____ M., E.S.T.

DATED: _____

SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Henry, seconded by _____, and duly adopted, placed on its passage. PASSED ~~LOST~~ by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	7		1	1
BRADBURY			✓	
EDMONDS	✓			
GiaQUINTA				✓
HENRY	✓			
LONG	✓			
LUNSEY	✓			
RAVINE	✓			
SCHMIDT	✓			
TALARICO	✓			

DATED: 1-24-95.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as ~~(ANNEXATION)~~ ~~(APPROPRIATION)~~ ~~(GENERAL)~~ ~~(SPECIAL)~~ ~~(ZONING)~~ ORDINANCE RESOLUTION NO. R-09-95 on the 24th day of January, 19 95

ATTEST: (SEAL)

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Don J. Schmidt
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 25th day of January, 19 95 at the hour of 11:30 o'clock A. M., E.S.T.

Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 31st day of January, 19 95, at the hour of 10:00 o'clock P. M., E.S.T.

Paul Helmke
PAUL HELMKE, MAYOR

BILL NO. R-95-01-11

REPORT OF THE COMMITTEE ON
FINANCE
THOMAS C. HENRY - CHAIR
MARK E. GiaQUINTA - VICE CHAIR
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS

REFERRED AN (~~ORDINANCE~~) (RESOLUTION) designating "Economic Revitalization Area" 4030 Option Pass (Environmental Remediation Service, Inc.)

HAVE HAD SAID (~~ORDINANCE~~) (RESOLUTION) UNDER CONSIDERATION AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID (~~ORDINANCE~~) (RESOLUTION)

DO PASS	DO NOT PASS	ABSTAIN	NO REC
Thomas C. Henry			
Mark Talarico		Janet Bradbury	
Rebecca Lawrence			
Charles Redmonds			
Charles Sturgeon			
Marvin C. Long			

DATED: 1-24-95.

Sandra E. Kennedy
City Clerk

COIL & DICKMEYER, INC.
Civil Engineers - Land Surveyors - Planners

Darrell Coil, P.E., L.S. # 10498
Jerry D. Dickmeyer, L.S. # 50743
John L. Updike, L.S. # 50494

6044 East State Boulevard
Fort Wayne, Indiana 46815-7639
Office: 219 749 0125
Fax: 219 749 0921

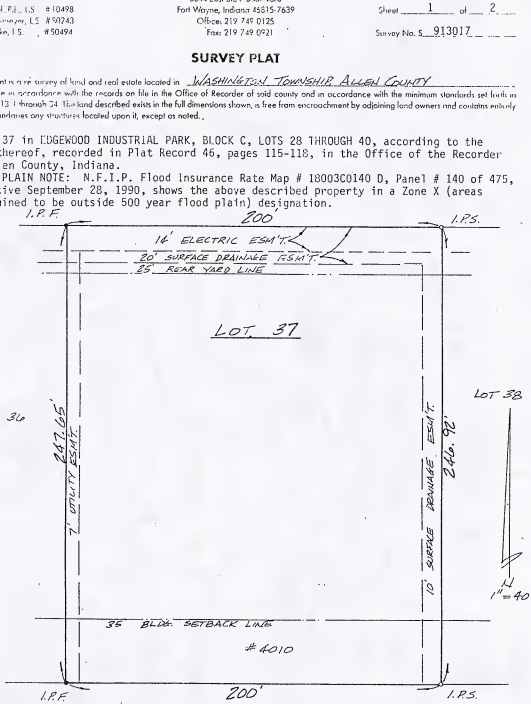
Sheet 1 of 2

Survey No. S_913917

SURVEY PLAT

This document is a re-survey of land and real estate located in WASHINGTON TOWNSHIP, ALLEN COUNTY, Indiana made in accordance with the records on file in the Office of Recorder of said county and in accordance with the minimum standards set forth in 865 IAC 1-12-13. I further certify that the land described exists in the full dimensions shown, is free from encroachment by adjoining land owners and contains entirely within its boundaries any structures located upon it, except as noted.

Lot # 37 in EDGEWOOD INDUSTRIAL PARK, BLOCK C, LOTS 28 THROUGH 40, according to the plat thereof, recorded in Plat Record 46, pages 115-118, in the Office of the Recorder of Allen County, Indiana.
FLOOD PLAIN NOTE: N.F.I.P. Flood Insurance Rate Map # 18003C0140 D, Panel # 140 of 475, effective September 28, 1990, shows the above described property in a Zone X (areas determined to be outside 500 year flood plain) designation.



I.P.F. Iron Pin Found
I.P.S. ½" Ø Re-bar Set
M -Measured
P -Platted/Recorded
P.F. -Pipe Found
P.K. -P.K. Nail

Valid only with original hand and seal.

FOR: Bercot, Inc.

Field work completed on 12 / 17 / 91

IN WITNESS WHEREOF, I set my hand and seal, this 18th day of December 19 91

John L. Updike

I hereby certify that this survey was completed under my direct supervision.

COMMUNITY & ECONOMIC DEVELOPMENT

MEMORANDUM

TO: Common Council Members

FROM: Karen A. Lee
Economic Development Specialist, Department of Economic Development

DATE: January 24, 1995

SUBJECT: Real property Tax Abatement Application dated December 28, 1994 for Environmental Remediation Services, Inc. (ERS)
Address: 4030 Option Pass, Suite A, Fort Wayne, Indiana 46818

R-95-01-11

Background

Description of Product or Service Provided by Company: Performs environmental consulting and contracting services including soil and groundwater sampling and analysis, hazardous materials spill cleanup, environmental site assessment, and industrial cleaning.

Description of Project: ERS would like to construct a 4000 square foot steel building with 6322 square feet useable space for office, garage, shop and storage.

Average Annual Wage:	$27,500	Total Project Cost:	$177,000
Number of Full Time Jobs to be Created:	4	Councilmanic District:	3rd
Number of Part Time Jobs to be Created:	0	Existing Zoning of Site:	M2

Project is Located Within a:

Designated Downtown Area:	Yes__ No_x_	Redevelopment Area:	Yes__ No_x_
Urban Enterprise Area:	Yes__ No_x_	Platted Industrial Park:	Yes_x_ No__

Effect of Passage of Tax Abatement

Will allow for the creation of 4 full-time positions.

Effect of Non-Passage of Tax Abatement

Project will not take place resulting in lost positions as well as lost revenue in the community.

Staff Recommendation

Per the established policy of the Department of Economic Development, the following recommendations are made:

1. Designation as an "Economic Revitalization Area" should be granted.

2. Designation should be limited to a term of one (1) year.
3. The period of deduction should be limited to three (3) years.

Signed: Karen A. Lee Title Economic Development Specialist

Comments

DIRECTOR: Elizabeth A. New

FOR STAFF USE ONLY:
Declaratory Passed 1-24- 1995
Confirmatory Passed 2-14- 1995
0 FT Jobs Currently
0 PT Jobs Currently
$ 31,746 Current Average Annual Salary

4 FT Jobs to be Created
0 PT Jobs to be Created
$ 27,500 Avg Annual Salary of all New Jobs
6 FT Jobs to be Retained
0 PT Jobs to be Retained
$ 31,746 Avg Annual Salary of all Retained Jobs

RECEIVED DEC 29 1994

ECONOMIC REVITALIZATION AREA APPLICATION
CITY OF FORT WAYNE, INDIANA

APPLICATION IS FOR:

Real estate key no.: 1980-4654-0037

(Check appropriate box[es] below)

☒ Real Estate Improvements Total cost of improvements: 177,000

☐ Personal Property (New Manufacturing Equipment) ... Total cost of improvements: _____

TOTAL OF ABOVE IMPROVEMENTS: 177,000

GENERAL INFORMATION:

Applicant's name: Mark J. Weaver and Rod M. Wilson Telephone: 219-489-7062

Name of applicant's business: Environmental Remediation Services, Inc. (ERS)

Address of applicant: 4030 Option Pass, Suite A
Fort Wayne, IN 46818

Address of property to be designated: 4010 Option Pass, Fort Wayne, IN 46818

Name of business to be designated, if applicable: NA

Contact person:

Name: Rod M. Wilson Telephone: 219-489-7062

Address: 4030 Option Pass, Suite A
Fort Wayne, IN 46818

☐ Yes ☒ No Do you plan to request state or local assistance to finance public improvements?

☐ Yes ☒ No Will the proposed project have any adverse environmental impact?

Describe: _____

Describe the product or service to be produced or offered at the project site?

Environmental consulting and contracting services including soil and groundwater sampling and analysis, hazardous materials spill cleanup, environmental site assessments, and industrial cleaning.

In order to be considered an Economic Revitalization Area, Indiana Law requires that the area be undesirable of normal development. What evidence can be provided that the property on which the project is located has become undesirable for, or impossible of, normal development and occupancy because of age, lack of development, cessation of growth, deterioration of improvements or character of occupancy, obsolescence, substandard buildings or other factors which have impaired values or prevent a normal development of property or use of property or is an area where a facility or a group of facilities that are technologically, economically, or energy obsolete are located and where the obsolescence may lead to a decline in employment and tax revenues?

Area currently is vacant and undeveloped commercial property. The addition of these improvements will allow the owners' business (ERS) to continue its rapid growth and the construction of the building will provide construction employment for Fort Wayne. Without construction of the improvements, normal development of ERS cannot continue.

REAL ESTATE ABATEMENT

Complete this section of the application only if requesting a deduction from assessed value for real estate improvements.

Describe any structure(s) that is/are currently on the property: None

Describe the condition of the structure(s) listed above: NA

Describe improvements to be made to property to be designated: Construction of a 4000 square foot steel building with 6322 square feet usable space for office, garage, shop and storage.

Start and stop dates for project: March 1995 to December 1995

Current land assessment:$ 3,300 Current improvements assessment:$

Current total real estate assessment:$ 3,300

Most recent annual property tax bill on property to be designated:$ 291.58

What is the anticipated first year tax savings attributable to this designation? $ 5213.18

How will you use these tax savings? Working capital for future growth of ERS, Inc

PERSONAL PROPERTY ABATEMENT

Complete this section of the application only if you are requesting a deduction from assessed value for installation of new manufacturing equipment.

Describe the new manufacturing equipment to be installed at the project site:

Equipment purchase start & stop dates: Equipment installation start and stop dates:

Current personal property assessment:$ Most recent annual personal property tax bill:$

What is the anticipated first year tax savings attributable to this designation? $ How will you use these tax savings?

PUBLIC BENEFIT INFORMATION

EMPLOYMENT AT FACILITY TO RECEIVE DESIGNATION: (NOTE: Figures below must match Section 3 of Form SP-1, Statement of Benefits (attached)).

Current Number:	6	Full-time	Annual area payroll of current:	$ 190,000
		Part-time	Average annual salary of current:	$ 31,746
Number Retained:	6	Full-time	Annual area payroll of retained:	$ 190,000
		Part-time	Average annual salary of retained:	$ 31,746
Number Additional:	4	Full-time	Annual area payroll of additional:	$ 110,000
		Part-time	Average annual salary of additional:	$ 27,500

When do you anticipate reaching the above levels of employment? March 1996

List types of jobs to be created as a result of this project?

Professional environmental engineers and technicians with high school, 2 year, and/or 4 year degrees.

Check the boxes below if the jobs to be created will provide the listed benefits:

- ☐ Pension Plan
- ☐ Tuition Reimbursement
- ☒ Major Medical Plan
- ☒ Life Insurance
- ☐ Disability Insurance

List any benefits not mentioned above:
Vacation, sick pay, personal days, profit sharing bonus

Will your company use any of the following employment and training agencies to recruit/train new employees? If so, please check the appropriate boxes:

- ☐ Anthony Wayne Services
- ☐ Benito Juarez Center
- ☐ Catholic Charities of Fort Wayne
- ☐ Community Action of Northeast Indiana, Inc.
- ☐ Fort Wayne Rescue Mission
- ☐ Fort Wayne Urban League, Inc.
- ☐ Fort Wayne Womens Bureau
- ☐ Indiana Department of Commerce
- ☐ Indiana Department of Public Welfare
- ☒ Indiana Dept of Employment & Training Services
- ☐ Indiana Institute of Technology
- ☒ Indiana Purdue University at Fort Wayne
- ☐ Indiana Vocational Rehabilitation Services
- ☒ IVY Tech
- ☐ JobWorks
- ☐ Lutheran Social Services, Inc.
- ☐ Wayne Township Trustee
- ☒ St. Francis College

EXHIBITS

The following exhibits must be attached to the application.

1. Full legal description of property. (Property tax bill legal descriptions are not sufficient.)
2. Check for application fee made payable to the City of Fort Wayne.

Project Cost	Fee
$0 to 250,000	$ 500
$250,001 to 1,000,000	$ 700
$1,000,001 and over	$1,000

3. Owner's Certificate (if applicant is not the owner of property to be designated).

I hereby certify that the information and representation on this application and attached exhibits are true and complete and that no building permit has been issued for construction of improvements, nor has any manufacturing equipment which is a part of this application been purchased and installed as of the date of filing of this application.

Mark J. Weaver — Rod M. Wilson — 12/27/94

Mark J. Weaver
Signature of Applicant
Rod M. Wilson
Date

STATEMENT OF BENEFITS

State Form 27167 (R4 / 10-93)
Form SB - 1 is prescribed by the State Board of Tax Commissioners, 1989

FORM SB - 1

INSTRUCTIONS:

1. *This statement must be submitted to the body designating the economic revitilization area prior to the public hearing if the designating body requires information from the applicant in making its decision about whether to designate an Economic Revitilization Area. Otherwise this statement must be submitted to the designating body* ***BEFORE*** *a person installs the new manufacturing equipment, or* ***BEFORE*** *the redevelopment or rehabilitation of real property for which the person wishes to claim a deduction. A statement of benefits is not required if the area was designated an ERA prior to July 1, 1987 and the "project" was planned and committed to by the applicant, and approved by the designating body, prior to that date. "Projects" planned or committed to after July 1, 1987 and areas designated after July 1, 1987 require a STATEMENT OF BENEFITS. (IC 6-1.1-12.1)*
2. *Approval of the designating body (City Council, Town Board, County Council, etc.) must be obtained prior to initiation of the redevelopment or rehabilitation, or prior to installation of the new manufacturing equipment,* ***BEFORE*** *a deduction may be approved.*
3. *To obtain a deduction, Form 322 ERA, Real Estate Improvements and / or Form 322 ERA / PP, New Machinery, must be filed with the county auditor. With respect to real property, Form 322 ERA must be filed by the later of: (1) May 10; or (2) thirty (30) days after a notice of increase in real property assessment is received from the township assessor. Form 322 ERA / PP must be filed between March 1 and May 15 of the assessment year in which new manufacturing equipment becomes assessable, unless a filing extension has been obtained. A person who obtains a filing extension must file the form between March 1 and June 14 of that year.*
4. *Property owners whose Statement of Benefits was approved after July 1, 1991 must submit Form CF - 1 annually to show compliance with the Statement of Benefits. (IC 6-1.1-12.1-5.6)*

SECTION 1 — TAXPAYER INFORMATION

Name of taxpayer
Mark J. Weaver and Rod M. Wilson

Address of taxpayer *(street and number, city, state and ZIP code)*
4030 Option Pass, Suite A Fort Wayne, Indiana 46818

Name of contact person
Rod M. Wilson

Telephone number
219) 489-7062

SECTION 2 — LOCATION AND DESCRIPTION OF PROPOSED PROJECT

Name of designating body
City of Fort Wayne, Department of Economic Development

Resolution number

Location of property
4010 Option Pass, Fort Wayne, Indiana

County
Allen

Taxing district
Washington Twp.

Description of real property improvements and / or new manufacturing equipment to be acquired *(use additional sheets if necessary)*
Construction of 4000 Square foot steel building with 6322 square feet of usable space for office, garage, shop and storage.

Estimated starting date
March 1, 1995

Estimated completion date
December 1995

SECTION 3 — ESTIMATE OF EMPLOYEES AND SALARIES AS RESULT OF PROPOSED PROJECT

Current number	Salaries	Number retained	Salaries	Number additional	Salaries
6	190,000	6	190,000	4	110,000

SECTION 4 — ESTIMATED TOTAL COST AND VALUE OF PROPOSED PROJECT

NOTE: Pursuant to IC 6-1.1-12.1-5.1 (d) (2) the COST of the property is confidential.

	Real Estate Improvements		Machinery	
	Cost	Assessed Value	Cost	Assessed Value
Current values	0	0	NA	
Plus estimated values of proposed project	177,000	59,000		
Less values of any property being replaced	0	0		
Net estimated values upon completion of project	177,000	59,000		

SECTION 5 — OTHER BENEFITS PROMISED BY THE TAXPAYER

SECTION 6 — TAXPAYER CERTIFICATION

I hereby certify that the representations in this statement are true.

Signature of authorized representative	Title	Date signed *(month, day, year)*
Mark J Weaver	PRESIDENT	12/27/94

FOR USE OF THE DESIGNATING BODY

We have reviewed our prior actions relating to the designation of this economic revitalization area and find that the applicant meets the general standards adopted in the resolution previously approved by this body. Said resolution, passed under IC 6-1.1-12.1-2.5, provides for the following limitations as authorized under IC 6-1.1-12.1-2.

A. The designated area has been limited to a period of time not to exceed _____ calendar years * *(see below)*. The date this designation expires is _____ .

B. The type of deduction that is allowed in the designated area is limited to:
1. Redevelopment or rehabilitation of real estate improvements; ☐ Yes ☐ No
2. Installation of new manufacturing equipment; ☐ Yes ☐ No
3. Residentially distressed areas ☐ Yes ☐ No

C. The amount of deduction applicable for new manufacturing equipment installed and first claimed eligible for deduction after July 1, 1987, is limited to $ _____ cost with an assessed value of $ _____.

D. The amount of deduction applicable to redevelopment or rehabilitation in an area designated after September 1, 1988 is limited to $ _____ cost with an assessed value of $ _____.

E. Other limitations or conditions *(specify)* _____

F. The deduction for new manufacturing equipment installed and first claimed eligible for deduction after July 1, 1991is allowed for:
☐ 5 years ☐ 10 years

Also we have reviewed the information contained in the statement of benefits and find that the estimates and expectations are reasonable and have determined that the totality of benefits is sufficient to justify the deduction described above.

Approved: *(signature and title of authorized member)*	Telephone number	Date signed *(month, day, year)*
Council Member Thomas P. Yencey	(219) 427-1208	1-24-95
Attested by:	**Designated body**	
City Clerk Sandra E. Kennedy	Common Council	

* If the designating body limits the time period during which an area is an economic revitilization area, it does not limit the length of time a taxpayer is entitled to receive a deduction to a number of years designated under IC 6-1.1-12.1-4 or 4.5 Namely: *(see tables below)*

NEW MANUFACTURING EQUIPMENT

For Deductions Allowed Over A Period Of:		
Year of Deduction	Five (5) Year Percentage	Ten (10) Year Percentage
1st	100%	100%
2nd	95%	95%
3rd	80%	90%
4th	65%	85%
5th	50%	80%
6th		70%
7th		55%
8th		40%
9th		30%
10th		25%

REDEVELOPMENT OR REHABILITATION OF REAL PROPERTY IMPROVEMENT

For Deductions Allowed Over A Period Of:			
Year of Deduction	Three (3) Year Deduction	Six (6) Year Deduction	Ten (10) Year Deduction
1st	100%	100%	100%
2nd	66%	85%	95%
3rd	33%	66%	80%
4th		50%	65%
5th		34%	50%
6th		17%	40%
7th			30%
8th			20%
9th			10%
10th			5%

Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE Declaratory Resolution

DEPARTMENT REQUESTING ORDINANCE Department of Economic Development

SYNOPSIS OF ORDINANCE ERS is requesting a tax abatement which would allow them to construct a 4000 square foot steel building with 6322 square feet useable space for office, garage, shop and storage.

EFFECT OF PASSAGE Will allow for the creation of 4 full-time positions.

EFFECT OF NON-PASSAGE Project will not take place resulting in positions not being created as well as lost revenue in the community.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) _____

ASSIGNED TO COMMITTEE (PRESIDENT) Donald J. Schmidt